

**Jury Interrogatory No. 3**

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence that it suffered damages as a result of Ford's conduct?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

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If your answer to this Interrogatory is "yes," go to Interrogatory No. 4. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.

**Jury Interrogatory No. 4**

How much do you find that Eastside Lincoln Mercury was damaged as a direct and proximate result of Ford's violation of the Ohio Motor Vehicle Dealer Act?

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You are done answering these Interrogatories.

**FORD DEFENDANTS' PROPOSED JURY INTERROGATORIES  
FOR VIOLATION OF THE OHIO MOTOR VEHICLE DEALER ACT  
(DISCRIMINATION AGAINST EASTSIDE LINCOLN MERCURY)**

### **Jury Interrogatory No. 1**

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence that Ford discriminated against Eastside Lincoln Mercury by failing to apply consistent business criteria to decide issues under Eastside Lincoln Mercury's Sales and Service Agreements?

Yes

No

If your answer to this Interrogatory is "yes," go to Interrogatory No. 2. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.

## Jury Interrogatory No. 2

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence that it suffered damages as a result of Ford's conduct?

Yes             No

If your answer to this Interrogatory is "yes," go to Interrogatory No. 3. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.

**Jury Interrogatory No. 3**

How much do you find that Eastside Lincoln Mercury was damaged as a direct and proximate result of Ford's violation of the Ohio Motor Vehicle Dealer Act?

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You are done answering these Interrogatories.

**FORD DEFENDANTS' PROPOSED JURY INTERROGATORIES FOR  
VIOLATION OF THE OHIO MOTOR VEHICLE DEALER ACT  
(DISCRIMINATORY ALLOCATION OF SCARCE VEHICLES)**

**Jury Interrogatory No. 1**

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence that Ford discriminated against Eastside Lincoln Mercury by failing to allocate or by withholding the delivery of scarce vehicles ordered by Eastside Lincoln Mercury?

Yes

No.

If your answer to this Interrogatory is "yes," go to Interrogatory No. 2. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.

**Jury Interrogatory No. 2**

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence that Ford's conduct toward Eastside Lincoln Mercury was outside the ordinary scope of Ford's business?

Yes  No

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If your answer to this Interrogatory is "yes," go to Interrogatory No. 3. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.

### **Jury Interrogatory No. 3**

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence that it suffered damages as a result of Ford's conduct?

Yes

No

If your answer to this Interrogatory is "yes," go to Interrogatory No. 4. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.

**Jury Interrogatory No. 4**

How much do you find that Eastside Lincoln Mercury was damaged as a direct and proximate result of Ford's violation of the Ohio Motor Vehicle Dealer Act?

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You are done answering these Interrogatories.

**FORD DEFENDANTS' PROPOSED JURY INTERROGATORIES FOR  
VIOLATION OF THE OHIO MOTOR VEHICLE DEALER ACT  
(WITHHOLDING OR DELAYING THE DELIVERY OF VEHICLES)**

**Jury Interrogatory No. 1**

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence  
that Ford withheld or delayed delivery of motor vehicles to Eastside Lincoln Mercury?

\_\_\_\_\_ Yes

\_\_\_\_\_ No

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If your answer to this Interrogatory is "yes," go to Interrogatory No. 2. If your answer to  
this Interrogatory is "no," you are done answering these Interrogatories.

**Jury Interrogatory No. 2**

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence that Ford's conduct toward Eastside Lincoln Mercury was outside the ordinary scope of Ford's business?

Yes  No

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If your answer to this Interrogatory is "yes," go to Interrogatory No. 3. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.

### **Jury Interrogatory No. 3**

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence that it suffered damages as a result of Ford's conduct?

Yes

No

If your answer to this Interrogatory is "yes," go to Interrogatory No. 4. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.

**Jury Interrogatory No. 4**

How much do you find that Eastside Lincoln Mercury was damaged as a direct and proximate result of Ford's violation of the Ohio Motor Vehicle Dealer Act?

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You are done answering these Interrogatories.

**FORD DEFENDANTS' PROPOSED JURY INTERROGATORIES FOR FRAUD**

**Jury Interrogatory No. 1**

Do you find that the Eastside Lincoln Mercury proved by a preponderance of the evidence that: (1) Ford, Mr. Carter or Mr. Walls made a false representation of fact to Eastside Lincoln Mercury, and that Ford, Mr. Carter, or Mr. Walls made that false representation with knowledge of its falsity or with such utter disregard and recklessness about its falsity that knowledge may be concluded, and/or (2) Ford, Mr. Carter or Mr. Walls knowingly concealed a fact that they had a duty to disclose to Eastside Lincoln Mercury?

You will answer this Interrogatory separately for Ford, Mr. Carter and Mr. Miller.

**As to Ford:**

\_\_\_\_\_ Yes

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### As to Mr. Carter:

Yes  No

### As to Mr. Walls:

Yes        No

If your answer to this Interrogatory is "yes" for either Ford, Mr. Carter or Mr. Walls, go to Interrogatory No. 2. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.

### **Jury Interrogatory No. 2**

Do you find that Eastside Lincoln Mercury proved by a preponderance of the evidence that the false representation made by Ford, Mr. Carter or Mr. Walls **and/or** the fact concealed by Ford, Mr. Carter or Mr. Walls was material?

You will answer this Interrogatory separately for Ford, Mr. Carter and Mr. Walls.

### As to Ford:

Yes \_\_\_\_\_ No \_\_\_\_\_

### **As to Mr. Carter:**

Yes \_\_\_\_\_ No \_\_\_\_\_

**As to Mr. Walls:**

Yes

No

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If your answer to this Interrogatory is "yes" for either Ford, Mr. Carter or Mr. Walls, go to Interrogatory No. 3. If your answer to this Interrogatory is "no," you are done answering these Interrogatories.